

In the
Indiana Supreme Court



IN THE MATTER OF THE CREATION) Supreme Court Cause No.
OF THE COMMISSION TO EXPAND) 94S00-1309-MS- 6014
ACCESS TO CIVIL LEGAL SERVICES)

ORDER

A group of Indiana stakeholders has approached the Indiana Supreme Court and urged the Court to create a broad-based commission to work toward a goal of expanding the availability and provision of civil legal services to Indiana residents with limited financial resources. In existence in more than half of the states, similar commissions are commonly called “access to justice” commissions. The work of these commissions is encouraged by the Conference of Chief Justices, and the Conference of State Court Administrators, and the American Bar Association. The initial Indiana proposal was supported by the Indiana Bar Foundation, the Indiana State Bar Association and several providers of civil legal services to the poor. In response, the Indiana Supreme Court underwrote an educational session about such commissions for Indiana’s stakeholders and invited recommendations from the participants. Following review of the resulting recommendations, and after further review and consideration of parallel initiatives in other jurisdictions, the Indiana Supreme Court has elected to establish an entity to further explore, advise, and advance such interests.

Accordingly, there is hereby CREATED the Indiana Commission to Expand Access to Civil Legal Services (hereinafter “Commission”), which shall have the powers and duties set out below.

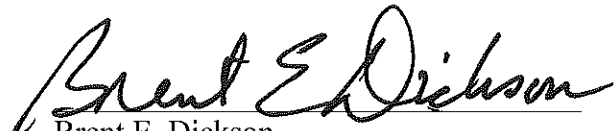
1. Mission. The mission of the Commission shall be to assess, enhance, and expand the availability and provision of civil legal services to Indiana residents with limited financial resources.
2. Responsibilities. The Commission shall be responsible for:
 - a. Fostering the coordination of the delivery of civil legal services and encouraging collaboration and cooperation between all providers of civil legal service to low-income or disadvantaged Indiana residents;
 - b. Developing within one year from the initial meeting of the Commission a five-year plan, with annual updates, to improve and enhance the availability and effective provision of civil legal services to low-income or otherwise disadvantaged Indiana residents;

- c. Recommending improvements in the communications, promptness, efficiency, courtesy, and other qualities of service provided to those residents who use Indiana courts;
 - d. Providing the Indiana Supreme Court with an annual progress report on June 30 of each year; and
 - e. Performing such other tasks as are directed by the Supreme Court from time to time to enhance and expand the availability and provision of civil legal services to persons with limited financial resources.
3. Composition. The Commission shall consist of seventeen (17) members appointed by the Supreme Court. Any vacancy caused by resignation, removal or otherwise shall be filled by the Supreme Court for the remainder of the vacated term. A member may be removed at the discretion of the Supreme Court. The Commission's membership shall be comprised as follows:
- (a) One (1) Justice of the Supreme Court or Judge of the Court of Appeals or his/her designee;
 - (b) Two (2) Indiana trial court judges;
 - (c) One (1) representative of the Indiana State Bar Association;
 - (d) One (1) representative of the Indiana Bar Foundation;
 - (e) One (1) member of the faculty of a law school located in Indiana;
 - (f) Two (2) Indiana lawyers in active law practice;
 - (g) Two (2) representatives from Indiana non-governmental organizations that serve needs of low-income Indiana residents;
 - (h) Two (2) representatives from the fields of business, finance, or labor;
 - (i) Four (4) representatives from other Indiana civil legal services providers, but no more than one representative from the same provider organization (the objective being to have three members to represent the three providers most active in providing legal services to needy Hoosiers, and the fourth member to represent the civil legal service providers outside the metropolitan Indianapolis area); and
 - (j) The Chairman of the Indiana Pro Bono Commission.
4. Terms. Members of the Commission shall serve three (3) year terms, except that for the initial appointments, the length of the initial terms shall vary as determined by the Supreme Court to facilitate membership rotation and infusion of new members. Members shall not serve for more than two (2) consecutive terms, except that the members listed in categories 3(a), 3(b), 3(i), and 3(j) above shall be eligible to serve unlimited consecutive terms subject to the will of the Supreme Court.

5. Officers. The Commission shall elect from its membership a Chair who shall preside at all meetings, a Vice-Chair who shall preside in the absence of the Chair, and a Secretary who shall be responsible for giving notices and keeping written minutes of all Commission meetings. The election of officers shall occur annually, except that the Supreme Court shall designate the initial Chair and Vice-Chair. The officers shall serve one-year terms and are eligible to be subsequently elected to successive terms during their membership on the Commission.
6. Meetings. The Commission shall meet at the call of the Chair, but shall meet at least quarterly. Meetings of the Commission shall be open to the public. A quorum of two-thirds ($2/3^{\text{rds}}$) of members must be present for the Commission to take official action on any subject. The Commission shall act by vote of the majority of the members present at a meeting, but members may be present at a meeting by telephone or other real-time electronic participation.
7. Committees. The Commission may establish or dissolve one or more Standing Committees, which may be, but are not required to be, partially comprised of persons not members of the Commission. Each Standing Committee shall select a Chair, Vice-Chair, and Secretary from its membership. The Secretary for a Standing Committee shall draft and maintain written minutes of each Standing Committee meeting. The Commission shall designate from its membership a liaison member for each Standing Committee. Each Standing Committee shall be guided by the Mission of the Commission and shall perform such work as is assigned to the Standing Committee by the Commission. The Commission shall fill any vacancy that occurs on a Standing Committee and/or modify the duties or number of members of any Standing Committee by a majority vote of the Commission members present at a meeting. Each Standing Committee shall submit any and all policies, public positions, and proposed projects to the Commission for approval before implementation.
8. Office and Administration. The Commission shall determine the location for its meetings and operations. The Commission's initial meeting, however, shall be held in the offices of the Indiana Supreme Court's Division of State Court Administration.
9. Relationship with Other Entities. The establishment of the Commission is not intended to replace other entities offering services supporting the availability of civil legal services to poor or disadvantaged Indiana residents. The Commission shall cooperate with all other such entities, including without limitation the Indiana Pro Bono Commission, the Supreme Court Unrepresented Litigants Committee, the various district pro bono commissions, the Indiana Judicial Conference, the Indiana Bar Foundation, the Indiana State Bar Association, local bar associations, government civil legal service organizations, and non-governmental civil legal service organizations.
10. Funding. The Commission shall not operate as a funding organization and shall not collect on behalf of and/or distribute funds to entities providing civil legal services. The Commission may only accept, maintain and expend funds for the sole purpose of paying the administrative expenses of the Commission. The Commission may encourage the

Indiana General Assembly, other government entities, and other organizations to provide funding to support access to civil legal services for needy Indiana citizens.

Done at Indianapolis, Indiana, on September 23, 2013.


Brent E. Dickson
Chief Justice of Indiana

All Justices concur.